

Exhibit H 14

DEHART, MICHAEL

From: GUTOWSKI, PETER
Sent: Thursday, December 18, 2014 7:15 PM
To: Keough, John; joe.walsh@clydeco.us
Cc: FERNANDEZ, MICHAEL; VENEZIA, GINA
Subject: URGENT USOT / Hapag-Lloyd -- Threatened Arrest of Santa Roberta and Seaspan Hamburg

Importance: High

URGENT

Dear John,

Further to the proceedings at court earlier today, at the second hearing (which you chose not to attend), the court granted HL's application, with the understanding that certain modifications to the order and the bond be made. The modifications have been made, the bond issued and filed and the executed order is expected momentarily, or first thing tomorrow morning. Please advise where we should transmit the order. Will it suffice, for USOT's purposes, for us to send it to you by email, or would you prefer that we send it directly to USOT (in view of your position at court today regarding the status of your representation).

Same question regarding the interpleader pleadings.

To the extent we understand from our discussion today that USOT wants the LOU on the Vienna Express replaced, we will transmit a proposed bond to you tomorrow for review.

By copy to Joe Walsh, we are now advised that USOT filed for and obtained arrest warrants in the Middle District of California for the Santa Roberta and the Seaspan Hamburg. In view of the foregoing event in New York today, please advise **immediately** whether you intend to proceed to serve either vessel, in which case we will bring this to the attention of Judge Caproni tonight. We need your response in the next 30 minutes or we will so advise the Court of your actions, and refusal to respond. Please be advised that HL will hold USOT liable for all costs damages and expenses in connection with any restraint of either vessel, and you are now on notice of the events that took place after John left the courthouse today which would make any restraint wrongful.

Regards
Pete Gutowski

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DEHART, MICHAEL

From: GUTOWSKI, PETER
Sent: Thursday, December 18, 2014 8:07 PM
To: CaproniNYSDCChambers@nysd.uscourts.gov
Cc: FERNANDEZ, MICHAEL; Keough, John; joe.walsh@clydeco.us
Subject: RE: VERY URGENT -- US Oil v Hapag-Lloyd 14 CV 9949 (VEC)

Dear Judge Caproni,

We write to advise the Court of an important development about which we just became aware involving US Oil's ("USOT") efforts to arrest the M/V Santa Roberta in California.

We have just learned (from a review of Pacer) that Mr. Keough's firm (Clyde and Co) actually applied for an arrest order yesterday for both the Santa Roberta and the Seaspan Hamburg (both vessels being included in Hapag Lloyd's application for a restraining order). Those arrest order were issued sometime today, but have not been served because the vessels have not yet arrived. But as we advised Your Honor, the Santa Roberta is due in tomorrow.

We were surprised by this development since Mr. Keough, in addressing the Court today, advised that his firm did not represent US Oil in respect to the Hapag-Lloyd application, when in fact his firm had already filed for an arrest of the vessels involved in those very same claims. This may explain why Mr. Keough did not attend the continuation of the hearing, which was put off until 2:30 for USOT's benefit. It would appear that the decision not to return to the courtroom was calculated to avoid any risk of having to disclose what Clyde and Co was doing in California in the hope that USOT might take advantage of any delay in issuance of the Order by this Court. We also note that Mr Keough remained silent when the Court specifically asked for the status of any threat of arrest of the Hapag-Lloyd vessels, knowing full well that his firm had already filed for an arrest.

If USOT is able to serve the vessel with an order of arrest before Your Honor endorses the Order memorializing the rulings earlier today, the protections afforded Hapag-Lloyd will have been frustrated by USOT's conduct.

In view of the above, we respectfully request the Court's indulgence in expediting the endorsement of the Order this evening, if possible, and appreciate Your Honor's consideration of this request.

Respectfully submitted
Freehill Hogan and Mahar
Counsel for Hapag Lloyd

Peter Gutowski / Michael Fernandez

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DEHART, MICHAEL

From: GUTOWSKI, PETER
Sent: Friday, December 19, 2014 12:16 PM
To: lucy.roberts@usdoj.gov
Cc: Keough, John; joe.walsh@clydeco.us; FERNANDEZ, MICHAEL
Subject: U.S. Oil Trading v M/V Santa Roberta INJUNCTION AGAINST ARREST
Attachments: 14cv9949 TRO Order.pdf

Dear Ms Roberts,

Thank you for speaking to me just now.

Attached is a copy of the restraining order issued today from the Southern District of New York memorializing the ruling issued in court, which preclude, *inter alia*, the arrest of the M/V Santa Roberta by US Oil.

US Oil has been served in the New York action, and the Court in New York has placed US Oil's counsel on notice of the issuance of the injunction.

We have also served them, as well as US Oil, with a copy of the order.

US Oil's counsel (in NY and California) have declined to take our calls or respond to our request for confirmation of their awareness of the restraining order and confirmation of their compliance. We contacted you to alert you to the prohibition as we understand no efforts by US Oil have been undertaken to advise the Marshal in the Central District of this situation.

Please immediately take steps to inform the Marshal of the prohibition of seizure by US Oil.

Thank you for your attention to this situation.

I am sending copies of this message to the two attorneys for US Oil.

Regards
Pete Gutowski

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DEHART, MICHAEL

From: GUTOWSKI, PETER
Sent: Friday, December 19, 2014 12:31 PM
To: CaproniNYSdchambers@nysd.uscourts.gov
Cc: Moira_Heiges-Goepfert@nysd.uscourts.gov; Keough, John; joe.walsh@clydeco.us; lucy.roberts@usdoj.gov; FERNANDEZ, MICHAEL
Subject: Hapag Lloyd v. U.S. Oil Trading, et al, No. 14-cv-09949 (VEC) -- URGENT REQUEST FOR TELEPHONE HEARING
Attachments: U.S. Oil Trading v M/V Santa Roberta INJUNCTION AGAINST ARREST
Importance: High

Dear Judge Caproni,

I am sorry to have to bother the Court with this situation, but we have repeatedly tried to reach Mr. Keough and Mr. Walsh (both with the Clyde & Co. firm which represents U.S. Oil) to determine whether U.S. Oil intends to honor the Court's restraining order. U.S. Oil was served today with the summons, complaint and the order at 9:10 a.m. via their agent for service of process, and notice of that was also sent to Mr. Keough and Mr. Walsh moments later. However, neither Mr. Keough nor Mr. Walsh will take or return our calls or respond to our emails.

We spoke to the Marshal's office in the Central District of California and were advised that the papers are being prepared for the arrest of the M/V SANTA ROBERTA, and they have received no instructions to stand down. We contacted counsel for the Marshal's service to alert them to this situation and sent to Attorney Lucy Roberts a copy of your order. A copy of that email is attached.

Under the circumstances, we are very concerned that U.S. Oil does not intend to comply with Your Honor's order and the vessel will be arrested today. We therefore respectfully request a brief telephone hearing with the Court and Mr. Keough to determine U.S. Oil's intention so we can take appropriate steps.

We thank the Court for its attention to this request and are available anytime today at the Court's earliest convenience.

Respectfully,

Peter Gutowski

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